

DINA CORSI - Re: Steve,

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From: DINA CORSI
 To: BONGARDT, STEVE A
 Date: Wed, Aug 29, 2001 9:27 AM
 Subject: Re: Steve,

Steve, I do know how you feel. I don't think you understand that we (FBIHQ) are all frustrated with this issue. I don't know what to tell you. I don't know how many other ways I can explain this to you. These are the rules. NSLU does not make them up and neither does UBLU. They are in the MIOG and ordered by the Court and every office of the FBI is required to follow them including FBINY. You are preaching to the choir and I just want to move on to another tune! Dina

>>> STEVE A BONGARDT 08/29 8:38 AM >>>
 OK

I know you know how I feel about this.

Dina - where is "the wall" defined? Isn't it dealing with FISA information? I think everyone is still confusing this issue. I know we have discussed this ad nauseum but "the wall" concept grew out of the fear that a FISA would be obtained as opposed to a Title III. Whatever has happened to this - someday someone will die - and wall or not - the public will not understand why we were not more effective and throwing every resource we had at certain 'problems'.

Let's hope the National Security Law Unit will stand behind their decisions then, especially since the biggest threat to us now, UBL, is getting the most 'protection'.

- Steve

>>> DINA CORSI 08/29 7:44 AM >>>
 Steve,

Rod and I spoke with National Security Law Unit (NSLU) in order to confirm that our recommendations were accurate and to get answers to the questions you posed. They responded as follows:

Al-Midhar should be opened directly as a FFI. If Al-Midhar is located, the interview must be conducted by an intel agent. A criminal agent CAN NOT be present at the interview. This case, in its entirety, is based on intel. If at such time as information is developed indicating the existence of a substantial federal crime, that information will be passed over the wall according to the proper procedures and turned over for follow-up criminal investigation. We can discuss what constitutes moving that information over the wall if and when Al-Midhar is located and interviewed. I hope this answers your questions. Dina

DEFENDANT'S
 EXHIBIT

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 U.S. v. Moussaoui
 Cr. No. 01-455-A

M-HQI-78000026

NA-1666

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